

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DUSTY BUTTON, MITCHELL TAYLOR  
BUTTON,

Plaintiffs,

-against-

THE NEW YORK TIMES COMPANY, ET  
AL,

Defendants.

24-CV-5888 (LTS)

ORDER DIRECTING PAYMENT OF FEE  
OR IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

This action was submitted to the court by email and has been assigned the docket number listed above. To proceed with a civil action, a plaintiff must either pay the \$405.00 in fees or, to request authorization to proceed without prepayment of fees, submit a signed *in forma pauperis* (“IFP”) application. *See* 28 U.S.C. §§ 1914, 1915.<sup>1</sup>

Within thirty days of the date of this order, Plaintiffs must either pay the \$405.00 in fees or, if Plaintiffs are unable to pay such fees, Plaintiffs should each complete, sign, and submit the attached IFP application. Payment of the fees should be mailed to the following address: United States District Court for the Southern District of New York, Cashiers-Room 260, 500 Pearl Street, New York, NY 10007. Payment of the fees by mail must (1) be made by money order or certified check; (2) be made payable to: Clerk, USDC, SDNY; and (3) include the docket number listed above. Personal checks are not accepted. Payment of the fees also can be made in person at the courthouse by credit card, money order, certified check, or cash.

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<sup>1</sup> The \$405.00 in fees includes a \$350.00 filing fee plus a \$55.00 administrative fee. (Please check the [fee schedule](#) on the website for any updates.) A defendant removing an action from state to federal court is responsible for the filing fees.)

No further action will be taken in this case, and no summons shall issue or answer be required, until the fees are paid or completed and signed IFP applications are received. If Plaintiffs comply with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If the Court grants the IFP applications, Plaintiffs will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1). If Plaintiffs submitted proper payment for this action before receiving this order, the case will proceed once that payment is processed.

If Plaintiffs fail to comply with this order within the time allowed or seek an extension of time to comply, the action will be dismissed without prejudice to refiling.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: August 6, 2024  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge